

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Inventor:	Russell Keene	CONFIRMATION NO.:	8878
SERIAL NO.:	10/597,990	GROUP NO.:	3753
FILING DATE:	August 15, 2006	EXAMINER:	John C. Fox
TITLE:	COMBINATION FLOW THROUGH INJECTION AND ISOLATION VALVE FOR HIGH PRESSURE FLUIDS		

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO REQUIREMENT OF RESTRICTION

Sir:

In response to the Office Action mailed from the U.S. Patent Office on July 23, 2008, Applicant submits this Response.

Claims 1-137, of which claims 1, 8, 21, 37, 53, 83, 113, 130 and 131 are independent, are pending in the application.

The Examiner contends the present Application is directed to a plurality of independent and distinct inventions. The Examiner contends the different inventions are represented by six groups of claims. Group 1 is drawn to a valve represented by claims 1-4, 8-17, 21-26 and 30-36. Group 2 is drawn to a method of operating a valve represented by Claim 130. Group 3 is drawn to two valves represented by claims 37-49, 53-58, 62-88, 92-118, 121-129. Group 4 is drawn to a method of operating two valves represented by claim 131. Group 5 is drawn to an high performance liquid chromatography system represented by claims 5-7, 18-20, 27-29, 50-52, 59-61, 89-91, 119-121. And, Group 6 is drawn to a method of operating a high performance liquid chromatography system represented by claims 132-137. The Office Action requires Applicant to elect a single one invention or group of claims.

Applicant provisionally elects, with traverse, the invention of Group 5 drawn to an high performance liquid chromatography system represented by claims 5-7, 18-20, 27-29, 50-52, 59-61, 89-91, 119-121. Applicant respectfully requests reconsideration of this election requirement.

Applicant respectfully submits the inventions, groups and claims are sufficiently related to define but one invention. For example, Group 1 is drawn to a valve, which valve has features particularly suitable for use in a HPLC system, for example that of Group 5. Group 2 is drawn to an invention directed to a method of operating a valve which valve has features in common with the invention of Group 1. Group 3 is drawn to the use of multiple valves of the type defined by Group 1 and potentially within an HPLC system of Group 5. Group 4 is a method of use of the multiple valves which valves have features of the valves of Group 3. Group 6 is directed to a method of use of a HPLC system as defined by Group 5.

Applicant therefore respectfully submits that the examination of all 137 claims should proceed in a single application. A single application would allow for the most efficient prosecution and would not put an undue burden on the Examiner. However, in the event the Examiner makes the restriction requirement final, Applicant will cancel claims directed to non-elected subject matter.

The Examiner contends that the Figure further define distinct species of the invention. The Office Action further requires election of a single species directed to groups of Figures. The Examiner contends Figures 1A-1C define a first species (Species 1), Figure 2A defines a second species (Species 2), Figure 2B defines a third species (Species 3), Figures 3C-3D define a fourth species (Species 4), Figure 4A defines a fifth species (Species 5) and Figure 4B defines a sixth species (Species 6).

Applicant provisionally elects, with traverse, Species 1. Applicant submits such species relates to claims 1-137. Applicants request reconsideration of the restriction requirement as to species.

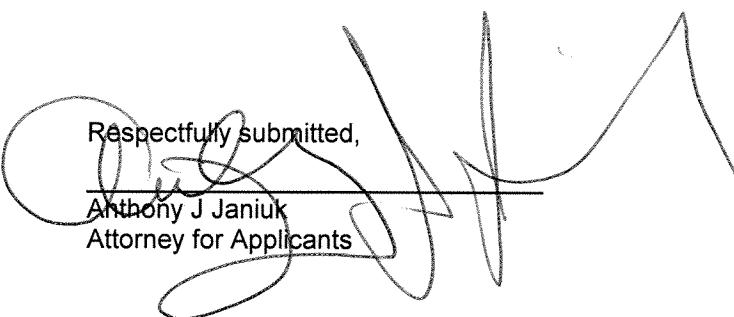
Applicant respectfully submits that several species designations are directed to different views or angles of the subject matter or of parts or elements in greater detail. For example,

Figures 2 and 3 are simply drawings of the embodiment of figure 1 from different angles, or different parts of the apparatus of Figure 1. Figures 2A and 2B are a perspective and exploded views of the valve system illustrated in Figure 1 respectively. Figures 3A is a plan view of the housing of the valve system illustrated in Figure 1. Figures 3B is an elevation view of the housing of the valve system illustrated in Figure 1. Figure 3C is a detailed view of a portion of the housing of the valve system illustrated in Figure 1.

Applicant further submits that the subject matter of the figures is not mutually exclusive. The prosecution of all species can be most efficiently dealt with in a single application and would not put an undue burden on the examiner.

Applicant respectfully submits the present Application is in condition for allowance which action is earnestly solicited. Applicant believes that no fees are due with this Response, however, the Commissioner is hereby authorized to charge any required fees to Deposit Account No. 23-0503.

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Respectfully submitted,

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